IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 16586 of 2004

Between:

Udyala Krishna Reddy, S/o.U.Venkat Reddy,
R/o.1-8-2/2/A, Suryanagar, Chikkadpally,
Hyderabad.

..... PETITIONER

AND

1 The S.H.O., Women Protection Cell, near Ramulavari Temple
Tirupathi, Chittoor Dist.
2 U.Haritha, W/o.Udyala Krishna Reddy,
R/o.Tirupathi, Chittoor Dist.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, particularly a with in the nature of mandamus, declaring the action of the 1st respondent herein in harassing the petitioner and his parents, brothers without their being any complaint lodged against us is arbitrary, illegal, and unconstitutional and consequently direct the 1st respondent not to initiate any action against the petitioner and his parents without following due process of law.

Counsel for the Petitioner: MR.K.V.SUBRAMANYA NARASU

Counsel for Respondent No.1: GP FOR HOME

Counsel for Respondent No.2: --

The Court at the stage of admission made the following ORDER:

The petitioner seeks a declaration that the alleged action of the first respondent-Station House Officer, Women Protection Cell, near Ramulavari Temple, Tirupathi, Chittoor District in harassing the petitioner, his parents and brothers, without there being any complaint lodged against them, as arbitrary and illegal.

The Sub-Inspector of Police, Women Protection Cell, Tirupathi, Chittoor District filed a counter-affidavit on behalf of the first respondent denying the allegations made by the petitioner. It is stated that the dispute between the petitioner and the second respondent is purely civil in nature and that at no point of time, the first respondent called the petitioners' father and brothers to the Police Station and no harassment was meted out as alleged by the petitioner. It is also stated that O.P.No.550 of 2000 is pending before the Family Court, Hyderabad between the petitioner and the 2nd respondent and that the second respondent lodged a complaint dated 11-09-2004 requesting to take action against the petitioner. However, no action has been taken on the said complaint so far and it is only under process of verification of the genuineness of the allegations made by the second respondent. It is further stated that the allegation that the petitioner's parents and brothers were ill-treated and threatened by the first respondent is incorrect. The allegation that the first respondent and his subordinates are visiting the place of the parents of the petitioner and harassing them has also been denied. It is stated that at no point of time, the first respondent called the parents and brothers of the petitioner to the Police Station.

In the light of the averments made in the counter-affidavit denying all the averments

made by the petitioner, no further adjudication is necessary in this writ petition.

Accordingly, recording the statements of the first respondent in the counter-affidavit, the writ petition is disposed of. No costs.

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04-11-2004

kdl

To

1 The S.H.O., Women Protection Cell, near Ramulavari Temple
Tirupathi, Chittoor Dist.
2 Two C.Cs. to the Government Pleader for Home, High Court Buildings, A.P., Hyderabad, (OUT).

3 Two C.D. Copies.